

1           Q       Well, let's break it down into before the  
2       application was filed and then after?

3           A       I don't even know when the application  
4       was filed.

5           Q       It was filed on June 30, 1994.

6           A       I have never seen a written business  
7       plan. I have only had verbal conversations with  
8       either Haag or Gilbert when there was a call for  
9       money. And they were very short, just bringing me  
10      up to date why they wanted the money.

11          Q       Have you ever seen a business plan for  
12      how the station would be operated if Adams were  
13      successful in getting the license?

14          A       No. I can save you a lot of time by  
15      saying I was not involved at all in any discussions  
16      and what would happen to Adams, what they would do  
17      with Adams. I just never was. Not even to today.

18          Q       Can you tell me what business you work  
19      in?

20          A       Yes, I'm in the real estate business.

21          Q       And how long have you been in the real  
22      estate business?

1           A       42-1/2 years.

2           Q       Have you ever lived in Reading,  
3       Pennsylvania?

4           A       No.

5           Q       Have you ever been to Reading,  
6       Pennsylvania?

7           A       No.

8           Q       Have you ever been involved in any civic  
9       activities in Reading, Pennsylvania?

10          A       No.

11          Q       Or in that area?

12          A       No.

13          Q       Now, I take it you were a principal of  
14       Monroe Communications prior to your involvement in  
15       Adams Communications; is that correct?

16          A       By principal, you mean an investor? Yes.

17          Q       Yes. Thanks.

18                 Apart from those two groups, have you  
19       ever been associated with any group devoted to the  
20       issue of what is aired on television?

21          A       Wait a minute. I don't know what you're  
22       asking me.

1           Q       Let me try --

2           A       Are you asking me has anybody ever asked  
3 me to invest in a civic or profitable cause for a  
4 radio station similar to this, is that the question?

5           Q       Let me restate it.

6           A       All right.

7           Q       Have you ever been an owner of any  
8 broadcast property, partial or complete owner?

9           A       No.

10          Q       Have you ever been a member of any  
11 organization that deals with the issue of what is  
12 aired on television?

13          A       An organization directly interested only  
14 in that one subject? No.

15          Q       Well, how about an organization that's  
16 interested in that subject among other subjects?

17          A       I don't remember. I thought the American  
18 Jewish Committee would discuss this, but I couldn't  
19 give you a specific time or how urgent. But I will  
20 tell you that I have always been concerned. And  
21 even now I'm concerned when I see things on TV and I  
22 make comments to other people.

1           Q       Did you ever complain to the FCC?

2           A       No.

3           Q       Did you ever complain to the station

4 involved?

5           A       No. I'm lazy.

6           Q       Do you know if any other stockholder of

7 Adams Communications has visited Reading,

8 Pennsylvania in connection with the application?

9           A       I have no idea.

10          Q       Can you tell me what you know about the

11 programming of the existing station on channel 51 in

12 Reading, Pennsylvania?

13          A       Not specifically.

14          Q       Do you recall any discussion whatsoever

15 about what was being programmed on the station?

16          A       Well, they certainly didn't serve the

17 public with enough public information, public

18 services.

19          Q       How do you know that?

20          A       I was recently told that.

21          Q       By whom?

22          A       I don't remember, but I just remember

1       being told that recently.

2               Q       By recently, you mean --

3               A       In the last year. I really have not been  
4       involved in this issue, in this whole situation  
5       except to put up the money.

6               Q       And were you told anything about  
7       competing programming on the other stations --

8               A       No.

9               Q       -- in that area?

10              A       No.

11              Q       Do you know if anyone from Adams  
12       Communications did any research on the television  
13       market?

14              A       I have no idea.

15              Q       Do you know if there was ever any plan  
16       developed as to how this station would be staffed if  
17       Adams were successful?

18              A       I have no idea.

19              Q       Do you know what Adams' programming plans  
20       are?

21              A       No idea. I guess I'm a very limited  
22       limited investor. That was dumb, but that's what I

1 did.

2 Q I'm not going to comment.

3 A You don't need to.

4 Q Did you ever see a budget for the  
5 station, a proposed station?

6 A No. Nor a plan.

7 Q Did you ever have any involvement in  
8 selecting a tower site for the proposed station?

9 A No.

10 Q Did you ever have any involvement in  
11 obtaining a loan commitment from a bank in  
12 connection with the proposed station?

13 A No. I was not involved in anything.

14 Q All right. I'm just running through a  
15 checklist here.

16 A You can do it.

17 (Discussion held off the record).

18 BY MR. HUTTON:

19 Q Have you ever participated in any  
20 discussions as to a potential settlement of the case  
21 in which Adams Communications is involved?

22 A No. Was there an offer?

1           Q       I'm the one who has to ask questions  
2       here. I'm not answering questions today.

3           A       I want to know how much they haven't told  
4       me.

5                   No, I don't.

6           Q       Do you know --

7           A       I'll keep it serious.

8                   No, I don't really know anything about  
9       it.

10          Q       Do you know if any representative of  
11       Adams has had any discussions with the Telemundo  
12       corporation?

13          A       No.

14          Q       Are you the trustee or on the board of  
15       any school or organization that has a noncommercial  
16       broadcast license?

17          A       No.

18          Q       And putting aside interests of 1 percent  
19       or less in publicly traded companies, do you own  
20       stock in any company that has any media interest,  
21       such as broadcast television, radio television,  
22       cable television, satellite television --

1           A       Not that I know of.

2           Q       -- or publications?

3           A       I don't have very much stock anymore.

4                   None in that field.

5           Q       Have you been involved in any discussions  
6 about Adams Communications with anyone other than  
7 Mr. Haag and Mr. Gilbert?

8           A       On Adams?

9           Q       Yes.

10          A       No.

11          Q       Do you know who the other principals of  
12 Adams Communications are?

13          A       I know one.

14          Q       Who's that?

15          A       Manfred Steinfeld.

16          Q       And how do you know that he's involved?

17          A       Because he's a dear friend and Bob said  
18 he would join us also.

19                   The word friend, you'll forgive me. He's  
20 a very strong acquaintance and also in real estate  
21 deals with me.

22          Q       Do you know how Mr. Haag or Mr. Gilbert

1 or the two of them together decided on Reading,  
2 Pennsylvania as a place to file an application?

3 A I have no idea.

4 Q Have you ever provided a balance sheet to  
5 anyone in connection with Adams Communications?

6 A Do that again.

7 Q Have you ever provided a balance sheet, a  
8 personal balance sheet?

9 A A balance sheet? A personal statement.

10 Q What's that?

11 A A net worth statement.

12 Q Did you provide such a statement to  
13 anyone?

14 A I think I gave one to Gilbert.

15 Q And do you know who picked the law firm  
16 of Bechtel & Cole to represent --

17 A I have no idea.

18 Q Do you know what the fee arrangement is  
19 with Bechtel & Cole?

20 A I have no idea.

21 Q Do you know who picked Suffa and Cavell  
22 to be the consulting engineers for Adams?

1           A       I never heard their name before so I have  
2   no idea.

3           Q       Were you involved in any discussion about  
4   revising the budget of Adams Communications in 1999?

5           A       I didn't see the original. I know  
6   nothing about this one either.

7           Q       Let's shift to Monroe Communications.  
8   How did you come to be involved in Monroe  
9   Communications?

10          A       The sad story is that I was married at  
11   that time to another woman who was also ill with  
12   cancer, a very similar location. And I was home a  
13   lot and I was watching a lot of TV. And there was a  
14   channel that had a lot of pornography and I thought  
15   that was horrible. But, again, I didn't do anything  
16   about it.

17                   And Bob Haag called one day and said what  
18   do you think about that. And I said I think it's  
19   horrible. He said if I get people involved and we  
20   work to get them out of the station because they  
21   shouldn't be doing that, would you invest some  
22   money. I said absolutely. I absolutely would. So

1 he said, okay, I'll get back to you.

2 He called me back. I can tell you, this  
3 is about 16 years or so ago because that's when my  
4 wife was ill. He called me back and said we're  
5 going to go ahead and do that. I said okay. He  
6 said are you prepared to invest about 20 grand? I  
7 don't think we'll need that much, but I don't think  
8 we can get them out of doing what they're doing.  
9 And I said I'm prepared, one time I'm prepared.

10 That's true. That's the whole story.  
11 And that's why I made the investment.

12 Q And do you recall approximately what your  
13 percentage interest in Monroe Communications was?

14 A I don't know. Somewhere between 7 and 8  
15 percent, I guess.

16 Q And is it correct to say that Monroe  
17 Communications ultimately decided to dismiss its  
18 application in a settlement with the existing  
19 licensee?

20 A It's fair to say that. I think that's  
21 what they did, but it's fair to say they settled.

22 Q Do you know why Monroe decided to settle

1 the case?

2 A The one thing that comes to mind -- And,  
3 again, you understand, I don't even know all the  
4 partners that were there. But the one thing that  
5 comes to my mind why Bob settled, and I say Bob  
6 because that's the only one I basically talked to,  
7 was because Telemundo at that time was either in  
8 Chapter 11 or threatened to go in Chapter 11. And  
9 if I recall, he was concerned about doing the  
10 Spanish station that he thought was so important to  
11 do for the community and not having net worth to do  
12 it with.

13 Q And did the existing station during the  
14 proceedings switch over to hispanic programming?

15 A I don't know.

16 Q Well, at some point they stopped airing  
17 pornographic movies, didn't they?

18 A Yes, but I couldn't tell you. I couldn't  
19 even tell you yes for sure. Because my wife passed  
20 away, my lifestyle changed. I wasn't home all  
21 evening and I wasn't watching television as much.  
22 So I couldn't tell you much more about what they

1        were doing at the time.

2 Q And can you tell me approximately how  
3 much you received in the settlement of the case?

4           A        I don't recall. I guess it was somewhere  
5       over \$1 million. About that. Maybe a little more.  
6       I don't know.

7            0            But less than 2 million?

8                   A           Oh, God, yes.

9 Q And you're --

10           A       I wouldn't have said a little over a  
11   million.  It's less than a million 5 or I wouldn't  
12   have said that.

13 Q And do you recall how much you had  
14 invested in Monroe?

15           A           No, but I would guess it was somewhere  
16   close to -- under or just above a hundred thousand  
17   or so.  Maybe a little bit more.  You know, when  
18   they call for money, I send it.  I'm not good at  
19   this stuff.  I didn't keep real records.

20 MR. HUTTON: That's all I have.

21 MR. COLE: I don't have anything.

22 (The deposition concluded at 11:15 A.M.)

## **EXHIBIT E**

BECHTEL & COLE  
CHARTERED  
ATTORNEYS AT LAW  
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1901 L STREET, N.W.  
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TELECOPIER  
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COLESLAW@EROLS.COM

November 12, 1999

HAND DELIVERED

Thomas J. Hutton, Esquire  
Holland & Knight LLP  
2000 K Street, N.W. - Suite 200  
Washington, D.C. 20036

Re: Reading Broadcasting, Inc., MM Docket No. 99-153

Dear Tom:

Enclosed are the logs for January-June, 1990, which you previously provided. We have made copies for our own use.

I am also enclosing copies of the two documents described in your telephone request. These are letters, dated April 22, 1993 and September 3, 1993, to Charles Kelley and Charles Dziedzic, respectively. They were identified as Document Nos. 51 and 52 in the listing of documents as to which Adams asserted a claim of privilege.

The basis for the privilege claim, as indicated in the listing, is the fact that these letters were submitted to their addressees on a confidential basis with an expectation that they would not be generally available to third parties. I believe that that is a valid basis on which to withhold the documents, particularly in view of the fact that they contain no substantive information concerning Mr. Parker not previously disclosed to you. Nevertheless, in the interest of obviating any otherwise unnecessary pleadings, these two letters are being produced herewith.

Sincerely,

  
Harry F. Cole

April 22, 1993

HAND DELIVERED - CONFIDENTIAL

Charles W. Kelley, Chief  
Enforcement Division  
Mass Media Bureau  
Federal Communications Commission  
2025 M Street, N.W. - Room 8202  
Washington, D.C. 20554

Dear Mr. Kelley:

I am writing to bring to your attention certain matters, described below, which I believe (for the reasons set out below) warrant investigation and inquiry by the Commission.

I specifically request that this letter be treated as a confidential matter, and that it not be deemed accessible (whether through a Freedom of Information Act request or otherwise) to any persons other than yourself and members of your staff.

The matters which I believe warrant investigation and inquiry involve one Micheal L. Parker ("Parker"). Parker is also identified variously as Michael Parker, M. L. Parker, Mike Parker, and possibly other similar variations. He has also utilized various company names, including Two If By Sea Broadcasting Corporation and Partel, Inc.

Parker is a principal of Reading Broadcasting, Inc., licensee of Station WTVE(TV), Reading, Pennsylvania. In addition, he is the licensee of an international short-wave broadcast station in Dallas, Texas (File No. BALIB-9208100M) licensed by the Commission and, apparently, the sole owner of the permittee of Station KVMD(TV), Twentynine Palms, California. Parker apparently acquired his interest in the Reading station in late 1991 or early 1992. See File No. BTCCT-911113KH. He acquired his interests in the Twentynine Palms television permit and the Dallas short-wave station approximately one year later. See File No. BTCCT-920603KG (granted November 24, 1992) and BALIB-9208100M (granted October 30, 1992).

Charles W. Kelley, Chief  
April 22, 1993  
Page Two

In the applications pursuant to which Parker sought consent to acquire each of the Reading, Dallas short-wave and Twentynine Palms authorizations, Parker's portion of the application included an exhibit relative to his other media interests, past and present. Each of those applications contained the following statements in nearly identical language:

Mr. Parker also was an officer, director and shareholder of Mt. Baker Broadcasting Co. Mt. Baker Broadcasting Co.'s application for extension of time of its construction permit for KORC(TV), Anacortes, Washington (File No. BMPCT-860701KP) was denied. See Memorandum Opinion and Order, FCC 88-234, released August 5, 1988.

Although neither an applicant nor the holder of an interest in the applicant to the proceeding, Mr. Parker's roles as a paid independent consultant to San Bernardino Broadcasting Limited Partnership ("SBB"), an applicant for authority to construct a new commercial television station on Channel 30 in San Bernardino, California (MM Docket No. 83-911), was such that the general partner in SBB was held not to be the real-party-in-interest to that applicant and that, for purposes of the comparative analysis of SBB's integration and diversification credit, Mr. Parker was deemed such. See Religious Broadcasting Network et. al., FCC 88R-38, released July 5, 1988. This proceeding was settled in 1990 and Mr. Parker did not receive an interest of any kind in the Sandino Telecasters, Inc., the applicant awarded the construction permit. See Religious Broadcasting Network et. al., FCC 90R-101, released October 31, 1990.

Copies of the exhibits, obtained from the Commission's files, are included as Attachments A, B and C hereto for your convenient reference. Virtually identical language also appeared in an application (File No. BTCCT-910725KG) in which Parker (through a company owned by him) sought to acquire control of the licensee of Station WHRC-TV, Norwell, Massachusetts. A copy of that exhibit is included as Attachment D hereto. Although the Norwell

Charles W. Kelley, Chief  
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Page Three

application was granted by the Commission, it appears that Parker and his company did not consummate the transaction.

In connection with the Dallas short-wave application, Parker submitted an amendment which read as follows:

Two If By Sea Broadcasting Corporation [Parker's company] has applied for authority to acquire Station KCBI from Criswell Center for Biblical Studies. As part of that application, Two If By Sea listed applications in which its officers, directors and principals had held interests and which were dismissed at the request of the applicant. This will confirm that no character issues had been added or requested against those applicants when those applications were dismissed.

See Attachment E hereto (emphasis added).

From Parker's descriptions of the Mt. Baker and San Berdardino cases (quoted above) -- and especially from the Dallas amendment quoted immediately above -- it would appear that those cases involved little out of the ordinary and did not, in any event, raise any serious questions about Parker's basic qualifications to be a Commission licensee. Review of the records of those cases, however, indicates otherwise.

In Mt. Baker Broadcasting Co., Inc., 3 FCC Rcd 4777 (1988), the full Commission summarized the history of the Mt. Baker construction permit. A copy of that opinion is included as Attachment F hereto for your ease of reference. As you will note, that case involved considerably more than mere denial of a construction permit extension. Rather, Parker's company had effectively allowed its permit to lapse without construction. Id. at ¶2. When the Bureau denied the permittee's fourth extension request in December, 1986, the permittee sought reconsideration, asserting that it had in fact constructed the station and was commencing program tests. Id. at ¶3. In light of those representations, the Bureau extended the permit for 30 days (to January 30, 1987) on condition that a license application be submitted within 10 days. Id. No such license application was filed (timely or otherwise), and in April, 1987,

Charles W. Kelley, Chief  
April 22, 1993  
Page Four

the Field Operations Bureau conducted an inspection of the station. Id. at ¶4.

As discussed by the Commission, the inspection revealed that the facilities which had been constructed were substantially different from those which had been authorized. As both the Bureau and the Commission concluded,

[the permittee's] improper construction did not occur through error or inadvertence; the facts clearly indicate an effort to deceive the Commission. . . .  
[T]he deception was not uncovered until the Field Operations Bureau inspection. Even then, Mt. Baker took no steps toward remedying the situation.

Id. at ¶8 (emphasis added). Thus, the Mt. Baker case resulted, in effect, in a finding that Parker's company had affirmatively sought to "deceive" the Commission. Parker's latter-day disclosures concerning the Mt. Baker case make no reference whatsoever to this important aspect of that case.

Parker's "disclosures" with respect to the San Bernardino proceeding are even more misleading. There, contrary to the impression which Parker seems to be attempting to create, the presiding Administrative Law Judge found SBB (the Parker-related applicant) to be basically (not just comparatively) disqualified to be a licensee. See Religious Broadcasting Network, 2 FCC Rcd 6561 (Initial Decision 1987) at ¶60 ("The evidence of record requires a negative finding against [SBB] on the real party-in-interest issue, mandating [SBB]'s disqualification"). I encourage you to review the ALJ's discussion of the record evidence (which appears at ¶¶54-61 of his Initial Decision). A copy of the relevant portions of the Initial Decision is included as Attachment G hereto.

On review, the Review Board affirmed the Initial Decision, stating as follows:

[SBB's] application was and remains a travesty and a hoax. We need not repeat, point-by-point, all of the findings of fact which the ALJ has set out to support

Charles W. Kelley, Chief  
April 22, 1993  
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his conclusion that the progenitor and the real-party-in-interest of SBB is definitely not Van Osdel [the supposed controlling principal of SBB], she being merely a fig leaf for the true kingpin of SBB, one Michael Parker, who currently holds an interest in numerous other broadcast permits . . . and who could not in his own identity have hoped to prevail in this very close comparative contest.

Religious Broadcasting Network, 3 FCC Rcd 4085, 4090, ¶16 (Rev. Bd. 1988). At ¶¶16-18 of that opinion the Review Board described the egregious nature of SBB's attempted deception, ending with the conclusion that

SBB is a transpicuous sham . . . and the ALJ justly rejected its attempted fraud.

Id. at ¶18. In its ultimate conclusions in the case, the Review Board further characterized SBB as a

prototypical sham[ ], in which an offstage conductor wields the baton, while stand-in performers fiddle with their borrowed instruments, forget the score (if they've ever perused it), and reduce the proceedings to burlesque.

Id. at 4101, ¶50. For your convenience, a copy of the complete Review Board decision is included as Attachment H hereto.

Thus, again, Parker was central to an applicant which was found to have attempted fraud on the Commission.

These two cases plainly raise questions about Parker's basic qualifications to be a licensee. However, Parker's "disclosures" in his 1991-1992 applications do not appear to have been candid and forthcoming concerning the true facts underlying the Mt. Baker and San Bernardino proceedings. Since those 1991-1992 applications were not contested, there is no written explanation of precisely what effect, if any, the grants of those 1991-1992 applications were intended by the staff to have on any lingering questions concerning Parker's qualifications to be a Commission licensee.

Charles W. Kelley, Chief  
April 22, 1993  
Page Six

For his part, Parker has recently taken the position in sworn testimony before a Bankruptcy Court that the grants of his 1991-1992 applications demonstrate that the Commission has held that he is fully qualified to be a broadcast licensee.

I do not believe that the position taken by Parker in his recent testimony is supported by the available information; rather, I believe Parker's recent claims of a clean FCC record to be completely inaccurate. In both the Mt. Baker and San Bernardino cases, extremely serious allegations concerning the honesty and candor, before the Commission, of Parker and his applicants were both raised and resolved adversely to those applicants. As noted above, in Mt. Baker, the Commission found that "the facts clearly indicate[d] an effort to deceive the Commission"; in San Bernardino, the applicant in which Parker was found to have been the real-party-in-interest ("the true kingpin", in the Review Board's words) was found to be disqualified because of Parker's role in the application. It is therefore difficult to determine how he could possibly be deemed to be fully qualified to be a Commission licensee.

The manner in which Parker has elected to "disclose", in his more recent applications, his historical difficulties before the Commission aggravates the obvious problems with his qualifications. Those "disclosures" fall far short of the completeness and accuracy which the Commission can and should expect of its regulatees. Indeed, they seem calculated to convince the Commission that no basis exists for further inquiry into Parker's qualifications -- certainly that is precisely what Parker's October, 1992 amendment to the Dallas short-wave application appears designed to suggest. In other words, Parker's partial, less than candid "disclosures" appear to be nothing more than a further example of Parker's continuing willingness to deceive the Commission.

In light of these considerations, I believe that the Commission should investigate and/or inquire into the facts and circumstances surrounding Parker's conduct before the Commission. If the Commission determines that Parker has, in fact, been guilty of misrepresentations, lack of candor, or other potentially disqualifying misconduct, the Commission can and should take appropriate steps (such as designation of a revocation proceeding) to permit full adjudication of the matter.

Charles W. Kelley, Chief  
April 22, 1993  
Page Seven

In connection with any investigation or inquiry you may initiate, I suggest that you may also wish to examine the possible relationship between Parker and Gene Scott, the former licensee (through Faith Center, Inc.) of several stations (including Stations KHOF, KVOF and WHCT-TV). As you may be aware, concern was expressed in the Avalon, California television proceeding that one of the applicants there -- Christine Shaw -- may have been a "front" for Scott. Ms. Shaw's application was dismissed from the Avalon proceeding before those concerns could be fully litigated. Those concerns arose again, however, in connection with Ms. Shaw's subsequent effort to acquire an international short-wave broadcast station in Dallas. Again, Ms. Shaw's application to acquire that station was dismissed before the matter could be fully litigated.

I mention these matters because, in the Avalon proceeding, Ms. Shaw identified her broadcast consultant as none other than Parker. I understand that Parker's name arose again in connection with Ms. Shaw's application to acquire the Dallas short-wave station. And, indeed, after that application was dismissed, it was Parker who stepped into Ms. Shaw's contractual position and bought the short-wave station himself!

In addition, it is my understanding that one of the persons historically associated with Scott is one Joseph Shackelford. As noted above, last Fall Parker acquired control of the permittee of a new television station in Twentynine Palms, California. Commission records indicate that the seller in that transaction was none other than Mr. Shackelford, to whom Parker paid a total of One Dollar (\$1.00) for 100% control of the permittee.

Further, the authorization at issue in the San Bernardino proceeding discussed above -- the case in which Parker was found to have been the undisclosed "true kingpin" of one applicant -- had previously been held by Faith Center, one of Scott's organizations.

It is possible -- although in my view unlikely -- that all of these are mere coincidences. Nevertheless, I believe that the Commission may wish to review the available information,

Charles W. Kelley, Chief  
April 22, 1993  
Page Eight

undertake such investigation as may be appropriate, and form its own determination of the facts and circumstances surrounding the relationship between Scott and Parker.

Please let me know if you have any questions about any of these matters.

Sincerely,

Harry F. Cole

September 3, 1993

HAND DELIVERED - CONFIDENTIAL

Charles Dziedzic, Chief  
Hearing Branch, Enforcement Division  
Mass Media Bureau  
Federal Communications Commission  
2025 M Street, N.W. - Room 7212  
Washington, D.C. 20036

Dear Chuck:

As I mentioned in our conversation this morning, since filing my initial confidential letter concerning Mike Parker last April, I have obtained yet another document which appears to me to reflect the pattern of non-disclosure and arguable misrepresentation which I described in my April letter. A copy of that document is enclosed.

This is a copy (obtained from FCC files) of a low power television application (File No. BPTTL-891208ZI) filed on December 8, 1989, for Channel 68 in Los Angeles (ironically enough, the Black Television Workshop channel). The applicant's name is "Micheal L. Parker", and the address listed is the same Enumclaw, Washington address used in Parker's other applications. I am therefore confident that this applicant is the same Mike Parker as in the applications I have previously referenced.

Your attention is directed particularly to Exhibit II, which is responsive to the question (Section III, ¶5) concerning whether the applicant has any interest in any applications which have been dismissed or denied by the Commission. The exhibit contains Parker's standard terse language about the Mt. Baker/Anacortes, Washington situation, with no discussion whatsoever of the details of that situation. More importantly, though, the exhibit contains no reference whatsoever to the San Bernardino case, in which the Review Board had issued its extremely critical opinion approximately 15 months before the low power application was filed.

Significantly, it can't be argued for at least two reasons that Parker somehow thought that settlement of the San Bernardino case obviated the need for disclosure. First, the settlement was not approved until October, 1990, almost a year after the filing of the LPTV application, and thus could not have played any factor in that application. Second, even with respect to the Mt. Baker/Anacortes proceeding, Parker indicated that that matter was still pending on

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reconsideration. Thus, to the extent that the Mt. Baker matter was disclosed at all, the San Bernardino matter should logically also have been disclosed. As you can see, the copy which I obtained from the Commission contains no reference to the San Bernardino case at all.

You may wish to doublecheck the Commission's original file copy of Parker's application to make sure that there were no additional pages to his Exhibit II. The copy that was provided to me through the FCC's public reference room did not contain any additional pages, and I have no reason to believe that there are any. However, it would probably be prudent to doublecheck, just to be sure.

Also as I mentioned earlier today, I attended a session in the Bankruptcy Court in Hartford, Connecticut several months ago, during which Parker testified that the adverse findings concerning him set out in the Review Board's San Bernardino decision had been overturned on appeal, and that a formal opinion reflecting that (and clearing his name) had been issued. I do not currently have a copy of the transcript of that testimony, but I will make an effort to get one; I was in the courtroom at the time of his testimony, and I am extremely confident that my recollection of it is accurate. To the best of my knowledge, Parker's testimony in that regard was absolutely false. It seems to me that such false testimony, given under oath in a court of law in a case relating directly to a broadcast license, may be of relevance to any Commission consideration of Parker's basic qualifications.

I continue to believe that substantial and material questions exist with respect to Parker's apparent willingness to misrepresent and/or lack candor before the Commission. The enclosed LPTV application provides further confirmation of that willingness, in my view, and also tends to further establish the existence of a pattern of non-disclosive conduct. The same is true of his testimony in the Bankruptcy Court.

Please associate this information with my letter of April, 1993 concerning Mr. Parker, and please consider it in the formulation of any inquiry which the Commission might undertake in connection with Mr. Parker.

Thanks for your attention to this. Please feel free to call me if you have any questions about this.

Sincerely,

Harry F. Cole